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Federal Agencies

November 28, 2006

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit To Be Assigned

Attn: Mail Stop Amendment

Re: U.S. Patent Application No. 10/578,512
(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)
For: Active Agent Combinations with Insecticidal and Acaricidal Properties
Inventors: FUNKE *et al.*
Our Ref: 2400.0370000/JMC/VLC/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A listing twenty-seven (27) cited documents (2 pages);
3. Copies of twenty-six (26) of the twenty-seven (27) cited documents (**FP1-FP26**);
4. Form PTO/SB/08B listing three (3) cited documents;
5. Copies of the three (3) cited documents (**NPL1-NPL3**); and
6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
November 28, 2006
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez
Attorney for Applicants
Registration No. 47,438

JMC/VLC/CMB:krh
Enclosures

612367_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Funke *et al.*

Appl. No.: 10/578,512

(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329;
I.A. Date: October 10, 2004)

For: **Active Agent Combinations with
Insecticidal and Acaricidal
Properties**

Confirmation No.: *To Be assigned*

Art Unit: *To Be assigned*

Examiner: *To Be assigned*

Atty. Docket: 2400.0370000/JMC/VLC/CMB

**Information Disclosure Statement
Filing under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1-FP26** and **NPL1-NPL3** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, document **US1** cited on the attached IDS Form PTO/SB/08A, is not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents **FP1**, **FP4** and **FP6-FP26** cited on Form PTO/SB/08A.

Document **FP1**, EP 0 210 487 A1, is in a foreign language. An English language abstract of document FP1 is attached on Form PTO/SB/08B as document **NPL1**.

Document **FP4**, EP 0 528 156 A1, is in a foreign language. An English language abstract of document FP4 is attached on Form PTO/SB/08B as document **NPL2**.

Document **FP6**, WO 93/22297, is in a foreign language. An English language abstract of document FP6 can be found on the face page of the patent.

Document **FP7**, EP 0 647 637 A1, is in a foreign language. An English language abstract of document FP7 is attached on Form PTO/SB/08B as document **NPL3**.

Document **FP8**, WO 95/26345, is in a foreign language. An English language abstract of document FP8 can be found on the face page of the patent.

Document **FP9**, WO 96/20196, is in a foreign language. An English language abstract of document FP9 can be found on the face page of the patent.

Document **FP10**, WO 96/25395, is in a foreign language. An English language abstract of document FP10 can be found on the face page of the patent.

Document **FP11**, WO 96/35664, is in a foreign language. An English language abstract of document FP11 can be found on the face page of the patent.

Document **FP12**, WO 97/01535, is in a foreign language. An English language abstract of document FP12 can be found on the face page of the patent.

Document **FP13**, WO 97/02243, is in a foreign language. An English language abstract of document FP13 can be found on the face page of the patent.

Document **FP14**, WO 97/36868, is in a foreign language. An English language abstract of document FP14 can be found on the face page of the patent.

Document **FP15**, WO 98/05638, is in a foreign language. An English language abstract of document FP15 can be found on the face page of the patent.

Document **FP16**, WO 98/25928, is in a foreign language. An English language abstract of document FP16 can be found on the face page of the patent.

Document **FP17**, WO 99/16748, is in a foreign language. An English language abstract of document FP17 can be found on the face page of the patent.

Document **FP18**, WO 99/43649, is in a foreign language. An English language abstract of document FP18 can be found on the face page of the patent.

Document **FP19**, WO 99/48869, is in a foreign language. An English language abstract of document FP19 can be found on the face page of the patent.

Document **FP20**, WO 99/55673, is in a foreign language. An English language abstract of document FP20 can be found on the face page of the patent.

Document **FP21**, WO 01/23354 A2, is in a foreign language. An English language abstract of document FP21 can be found on the face page of the patent.

Document **FP22**, WO 01/24634 , is in a foreign language. An English language abstract of document FP22 can be found on the face page of the patent.

Document **FP23**, WO 01/74770 A1, is in a foreign language. An English language abstract of document FP23 can be found on the face page of the patent.

Document **FP24**, WO 01/76369, is in a foreign language. An English language abstract of document FP24 can be found on the face page of the patent.

Document **FP25**, WO 02/37963 A1, is in a foreign language. An English language abstract of document FP25 can be found on the face page of the patent.

Document **FP26**, WO 02/087334 A1, is in a foreign language. An English language abstract of document FP26 can be found on the face page of the patent.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

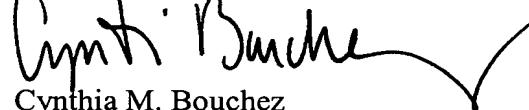
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez
Attorney for Applicants
Registration No. 47,438

Date:

11/28/06

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Equivalent of Form PTO/SB/08A (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute Form 1449A/PTQ

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 3

<p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i></p>	<p>Complete if Known</p> <table border="0"> <tr> <td style="width: 50%;">Application Number</td> <td>10/578,512</td> </tr> <tr> <td colspan="2"><i>(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)</i></td> </tr> <tr> <td>First Named Inventor</td> <td>Christian FUNKE</td> </tr> <tr> <td>Art Unit</td> <td><i>To Be Assigned</i></td> </tr> <tr> <td>Examiner Name</td> <td><i>To Be Assigned</i></td> </tr> <tr> <td colspan="2">Attorney Docket Number</td> </tr> </table>	Application Number	10/578,512	<i>(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)</i>		First Named Inventor	Christian FUNKE	Art Unit	<i>To Be Assigned</i>	Examiner Name	<i>To Be Assigned</i>	Attorney Docket Number	
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First Named Inventor	Christian FUNKE												
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Examiner Name	<i>To Be Assigned</i>												
Attorney Docket Number													
Sheet	1	of	3	Attorney Docket Number	2400.0370000/JMC/CMB								

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			
	FP1	EP 0 210 487 A1	02-04-1987	Ciba-Geigy AG	Abs
	FP2	EP 0 234 045 A2	09-02-1987	Nihon Nohyaku Co., Ltd.	
	FP3	EP 0 347 488 B1	12-27-1989	American Cyanamid Company	
	FP4	EP 0 528 156 A1	02-24-1993	Bayer AG	Abs
	FP5	WO 93/10083	05-27-1993	Uniroyal Chemical Company, Inc.	
	FP6	WO 93/22297	11-11-1993	Yahima Chemical Industrial Co., Ltd.	Abs
	FP7	EP 0 647 637 A1	04-12-1995	Bayer AG	Abs
	FP8	WO 95/26345	10-05-1995	Bayer Aktiengesellschaft	Abs
	FP9	WO 96/20196	07-04-1996	Bayer Aktiengesellschaft	Abs

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO		<i>Complete if Known</i>			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number 10/578,512 <i>(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)</i>			
		First Named Inventor Christian FUNKE			
		Art Unit <i>To Be Assigned</i>			
		Examiner Name <i>To Be Assigned</i>			
Sheet	2	of	3	Attorney Docket Number	2400.0370000/JMC/CMB

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	FP10	WO 96/25395	08-22-1996	Bayer Aktiengesellschaft	Abs
	FP11	WO 96/35664	11-14-1996	Bayer Aktiengesellschaft	Abs
	FP12	WO 97/01535	01-16-1997	Bayer Aktiengesellschaft	Abs
	FP13	WO 97/02243	01-23-1997	Bayer Aktiengesellschaft	Abs
	FP14	WO 97/36868	10-09-1997	Bayer Aktiengesellschaft	Abs
	FP15	WO 98/05638	02-12-1998	Bayer Aktiengesellschaft	Abs
	FP16	WO 98/25928	06-18-1998	Bayer Aktiengesellschaft	Abs
	FP17	WO 99/16748	04-08-1999	Bayer Aktiengesellschaft	Abs
	FP18	WO 99/43649	09-02-1999	Bayer Aktiengesellschaft	Abs

Examiner Signature		Date Considered	
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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i></p>				Complete if Known
				Application Number 10/578,512
				<i>(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)</i>
				First Named Inventor Christian FUNKE
				Art Unit To Be Assigned
				Examiner Name To Be Assigned
Sheet	3	of	3	Attorney Docket Number 2400.0370000/JMC/CMB

U.S. PATENT DOCUMENTS

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	FP19	WO 99/48869	09-30-1999	Bayer Aktiengesellschaft	Abs
	FP20	WO 99/55673	11-04-1999	Bayer Aktiengesellschaft	Abs
	FP21	WO 01/23354 A2	04-05-2001	Bayer Aktiengesellschaft	Abs
	FP22	WO 01/24634 A1	04-12-2001	Bayer Aktiengesellschaft	Abs
	FP23	WO 01/74770 A1	10-11-2001	Bayer Aktiengesellschaft	Abs
	FP24	WO 01/76369 A2	10-18-2001	Bayer Aktiengesellschaft	Abs
	FP25	WO 02/37963 A1	05-16-2002	Bayer Aktiengesellschaft	Abs
	FP26	WO 02/087334 A1	11-07-2002	Nihon Nohyaku Co., Ltd.	Abs

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Examiner Signature		Date Considered	
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Complete if Known

Application Number	10/578,512
<i>(U.S. Nat'l Phase of Int'l App. No. PCT/EP2004/012329; I.A. Date: October 10, 2004)</i>	
First Named Inventor	Christian FUNKE
Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	2400.0370000/JMC/CMB

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Dialog File 351, Accession No. 3940248, Derwent WPI English language abstract for EP 0 210 487 (listed on accompanying PTO/SB/08A as document FP1)	
	NPL2	Dialog File 351, Accession No. 6602040, Derwent WPI English language abstract for EP 0 528 156 (listed on accompanying PTO/SB/08A as document FP4)	
	NPL3	Dialog File 351, Accession No. 7358770, Derwent WPI English language abstract for EP 0 647 637 (listed on accompanying PTO/SB/08A as document FP7)	

Examiner Signature	Date Considered
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